## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

AUBREY C. AVERY, JR.,	)
Plaintiff,	) Case No.: 2:16-cv-01774-GMN-GWF
vs.	)
LAS VEGAS METRO POLICE DEPARTMENT, et al.,	ORDER
Defendants.	) )

Pending before the Court is the Report and Recommendation of United States

Magistrate Judge George W. Foley, Jr., (ECF No. 6), which recommends that Plaintiff Aubrey

C. Avery, Jr.'s claim against Defendant Douglas Gillespie be dismissed with prejudice for failure to state a claim upon which relief may be granted.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed.

1	Accordingly,
2	IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 6), is
3	ACCEPTED and ADOPTED in full.
4	IT IS FURTHER ORDERED that Plaintiff Aubrey C. Avery, Jr.'s claim against
5	Defendant Douglas Gillespie is <b>DISMISSED with prejudice</b> for failure to state a claim upon
6	which relief may be granted.
7	<b>DATED</b> this day of April, 2018.
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9	Gloria M. Navarro, Chief Judge
10	United States District Court
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